



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                       |                       |            |
|-----------------------|-----------------------|------------|
| In re application of: | Dennis O'Brien        | )          |
|                       |                       | )          |
| Serial No:            | 10/618,987            | ) Art Unit |
|                       |                       | ) 3731     |
| Filed:                | July 14, 2003         | )          |
|                       |                       | )          |
| For:                  | ANCHORED PTCA BALLOON | )          |
|                       |                       | )          |
| Examiner:             | Elizabeth Houston     | )          |
|                       |                       | )          |
| Customer No:          | 23862                 | )          |
|                       |                       | )          |
| Attorney Docket:      | 10745.148             | )          |

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26<sup>th</sup> day of August, 2005.

*Debra D Burns*

DEBRA D. BURNS  
Legal Document Assistant

Transmitted: Response to Restriction Requirement dated August 10, 2005.



(F2)

PATENT

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### RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attorney for Applicant very much appreciates the courtesies that were extended by the Examiner during recent telephone conferences with Attorney for Applicant. They have been very helpful in furthering our mutual attempts to resolve the issues that have been presented, and to properly identify patentable subject matter.

In response to the Restriction Requirement dated August 10, 2005, having a shortened statutory period for reply set to expire on September 10, 2005, Applicant elects, with traverse, to continue prosecution of claims that are directed to the patentably distinct species shown in Figures 9-11.

As suggested by the Examiner, Applicant intends on submitting a Preliminary Amendment, within the next two months, which will include claims that have been amended to be readable on the species shown in Figures 9-11. Specifically, the claims to be presented in the Preliminary Amendment are claims 1-7, 10-13, 32, 33 and 36-39.